IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE GOPALAKRISHNA TAMADA

Writ Petition No.31916 of 1997

Dated: 09-02-2007

Between:

Sri Sarada Industrial Training Institute,
Road No.12, Banjara Hills,
Hyderabad, rep. by its Secretary
Smt. Y. Sarada Devi.

... Petitioner

and

1. The State of Andhra Pradesh,
   rep. by its Secretary,
   Revenue Department,
   Secretariat Buildings,
   Hyderabad and 3 others.

... Respondents

ORDER:

This writ petition is filed seeking to quash the letter No.H3/5691/97, dated 17-10-1997 of the District Collector, Ranga Reddy District – second respondent, with a consequential direction to the respondents 1 and 2 to regularize the land allotted in favour of the

petitioner in Sy.Nos.56 and 79 over an extent of Ac.15-05 guntas situate in Gajularamavaram village, Kutbullapur Mandal, Ranga Reddy District.

2. In the affidavit filed in support of the writ petition it is stated that an extent of Ac.15-00 was allotted to the petitioner Institute by the District Collector, Ranga Reddy District – second respondent, vide letter No.B.5/4899/80, dated 20-04-1982 and thereupon possession of an extent of Ac.14-14 cents in Sy.No.56 was handed over to the secretary of the petitioner Institute on 23-05-1982 by the Tahsildar, Medchal vide proceedings in letter No.B1/2359/82, dated 24-05-1982. It is stated that on 10-02-1983, the Tahsildar, Medchal issued letter No.B.1/2359/82 proposing only Ac.7-00 out of Sy.No.56 and thereupon petitioner filed W.P.No.11062 of 1997. In the said writ petition, this Court passed an order on 15-07-1997 directing the Joint Collector, Ranga Reddy District to take up the matter and dispose of the same and pass appropriate orders within two months from the date of receipt of the order. According to the petitioner, on receipt of the copy of the order, it made representation on 30-07-2007, but surprisingly the secretary of the petitioner Institute received the impugned Memo, dated 17-10-1997, which is illegal and arbitrary.

3. Heard learned counsel for the parties.

4. Even according to the learned counsel for the petitioner the said land is no more available as the said land was encroached by some third parties. Further, the learned Assistant Government Pleader on instructions submits that the said land is no more available either for assignment or allotment in favour of the petitioner Institution. However, Sri K. Vinay Kumar, learned counsel for the petitioner produced a letter, dated

27-01-2007 alleged to have been addressed by the Collector, Ranga Reddy District to the Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad stating that an extent of Ac.10-00 in Sy.No.77 situated at Kethireddypally village, Moinabad Mandal, Ranga Reddy District is available for allotment of the land and the same may be considered for allotment in favour of the petitioner Institution on payment of market value.

5. Having regard to the facts and circumstances of the case, this Court is of the view that if really, it is a fact that the said land is available and the said land can be alienated in favour of the petitioner Institution, the Government may pass appropriate orders, in accordance with law.

6. Accordingly, the writ petition is disposed of. No costs.

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JUSTICE GOPALAKRISHNA TAMADA

Dt.09-02-2007
GLV